

# Exhibit A

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX-----X  
DIAHANN HERNANDEZ,

Plaintiff,

-against-

TARGET CORPORATION,

Defendant.  
-----X

To the above-named Defendant:

Index No.:  
Filing Date:**SUMMONS**Plaintiff designates  
Bronx County as  
the place of trialThe basis of venue is  
Plaintiff's residencePlaintiff resides at  
3204 Kingsbridge Ave., Apt. 2A  
Bronx, New York 10463

**YOU ARE HEREBY SUMMONED** to answer the complaint in this action and to serve a copy of your answer, or if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Melville, New York  
January 24, 2022**Defendant's address:****TARGET CORPORATION  
CT CORPORATION  
28 LIBERTY STREET – 42<sup>ND</sup> FLOOR  
NEW YORK, NEW YORK 10005**  
**BY JONATHAN J. SARDELLI, ESQ.**  
**BRAGOLI & ASSOCIATES, P.C.**  
Attorneys for Plaintiff  
**DIAHANN HERNANDEZ**  
300 Broadhollow Road, Suite 100W  
Melville, NY 11747  
(631) 423-7755

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

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DIAHANN HERNANDEZ,

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**VERIFIED  
COMPLAINT**

**PLAINTIFF**, by her attorneys, **BRAGOLI & ASSOCIATES, P.C.**, complaining of the Defendant herein, hereby allege upon information and belief, the following:

1. That at all times hereinafter mentioned, Plaintiff, **DIAHANN HERNANDEZ**, was and still is a resident in the County of Bronx, State of New York.

2. That all times hereinafter mentioned, Plaintiff, **DIAHANN HERNANDEZ**, maintained a residence at 3024 Kingsbridge Avenue, Apartment 2A, Bronx, New York 10463.

3. That at all times herein mentioned, Defendant, **TARGET CORPORATION**, was, and still is, a domestic business corporation duly organized and existing under and by virtue of the laws of the State of New York.

4. That at all times herein mentioned, Defendant, **TARGET CORPORATION**, was, and still is, a domestic business corporation authorized to do business in the State of New York.

5. That at all times herein mentioned, the Defendant, **TARGET CORPORATION**, was, and still is, a foreign corporation authorized to do business in the State of New York.

6. That at all times herein mentioned, the Defendant, **TARGET CORPORATION**, was the owner of the premises, located at 40 West 225<sup>th</sup> Street, #50, Bronx, New York 10463

(hereinafter referred to as the “subject premises”).

7. That at all times herein mentioned, the Defendant, **TARGET CORPORATION**, was the lessor of the subject premises.

8. That at all times herein mentioned, the Defendant, **TARGET CORPORATION**, was the lessee of the subject premises.

9. That at all times herein mentioned, the Defendant, **TARGET CORPORATION**, was the managing agent of the subject premises.

10. That at all times herein mentioned, the Defendant, **TARGET CORPORATION**, its agents, servants and/or employees, were responsible for the subject premises.

11. That at all times hereinafter mentioned, Defendant **TARGET CORPORATION**, its agents, servants and/or employees maintained the subject premises.

12. That at all times hereinafter mentioned, Defendant, **TARGET CORPORATION**, its agents, servants and/or employees controlled the subject premises.

13. That at all times hereinafter mentioned, Defendant, **TARGET CORPORATION**, its agents, servants and/or employees operated the subject premises.

14. That at all times hereinafter mentioned, Defendant, **TARGET CORPORATION**, its agents, servants and/or employees managed the subject premises.

15. That at all times hereinafter mentioned, Defendant, **TARGET CORPORATION**, its agents, servants and/or employees supervised the subject premises.

16. That at all times hereinafter mentioned, Defendant, **TARGET CORPORATION**, its agents, servants and/or employees inspected the subject premises.

17. That at all times hereinafter mentioned, Defendant, **TARGET CORPORATION**, its agents, servants and/or employees repaired the subject premises.

18. That at all times hereinafter mentioned, Defendant, **TARGET CORPORATION**, its agents, servants and/or employees had a duty to properly own, lease, operate, manage, maintain, supervise, inspect, control and repair the subject premises.

19. That at all times hereinafter mentioned, Defendant, **TARGET CORPORATION**, its agents, servants and/or employees breached their duty to properly own, lease, operate, manage, maintain, supervise, inspect, control and repair the subject premises.

20. That on or about March 12, 2019, Plaintiff, **DIAHANN HERNANDEZ**, was lawfully on the subject premises located at 40 West 225<sup>th</sup> Street, #50, Bronx, New York 10463.

21. That on or about March 12, 2019, while Plaintiff, **DIAHANN HERNANDEZ**, was lawfully within the premises, when she was suddenly, without any notice or warning, struck by portions of falling and/or collapsing ceiling/ light fixture as described above and by reason of the aforementioned defective and/or dangerous condition.

22. The above-mentioned occurrence, and the results thereof, were caused by the negligence of the Defendant and/or said Defendant's agents, servants, employees and/or licensees in the ownership, operation, management, supervision, maintenance, control, inspection, repair and supervision of the subject premises.

23. That Defendant, **TARGET CORPORATION**, their agents, servants and/or employees were reckless, careless and negligent in the ownership, operation, management, maintenance, supervision, inspection, repair and control of the subject premises; by permitting a dangerous and hazardous condition to exist so that it was dangerous for persons, in particular, this Plaintiff, **DIAHANN HERNANDEZ**, by failing to keep the said premises in a reasonably safe condition; in failing to remedy said condition; in failing to post warnings; in failing to keep the subject premises in a reasonably safe condition prior to, and including, March 12, 2019; in



causing, creating, allowing and/or permitting a dangerous and hazardous condition; in failing to remedy said condition; in failing to warn the public at large and, in particular, the Plaintiff herein, of the dangers inherent therein which were likely to cause injury to the Plaintiff, **DIAHANN HERNANDEZ**; in failing to take reasonable steps, precautions and safeguards to keep the premises in a reasonably safe condition; in failing to post warnings, barriers and or signs to warn the public of the dangerous condition; in permitting the condition to exist for an unreasonable period of time; in failing to inspect, timely inspect and/or properly inspect the subject premises herein; and Defendant, its agents, servants and/or employees were otherwise reckless, careless and negligent in the ownership, operation, management, maintenance, supervision, inspection, repair and control of the subject premises.

24. That as a result of the foregoing, Plaintiff, **DIAHANN HERNANDEZ**, sustained certain severe personal injuries.

25. The subject injuries sustained by Plaintiff, **DIAHANN HERNANDEZ**, were caused solely by reason of the negligence of the Defendant, and without any negligence or fault on the part of the Plaintiff contributing thereto.

26. That Defendant, **TARGET CORPORATION**, their agents, servants and/or employees had actual notice of the aforementioned dangerous and defective condition.

27. That Defendant, **TARGET CORPORATION**, their agents, servants and/or employees had constructive notice of the aforementioned dangerous and defective condition.

28. That as a result of the foregoing, Plaintiff, **DIAHANN HERNANDEZ**, sustained serious, severe and permanent injuries and was rendered sick, sore, lame, and disabled; Plaintiff, **DIAHANN HERNANDEZ**, was caused to suffer great physical pain, discomfort, and disability and will continue to suffer pain, discomfort, and disability in the future; Plaintiff, **DIAHANN**

**HERNANDEZ**, was caused to undergo hospital and medical care, aid, and treatment, and may continue to undergo medical care, aid and treatment for a long period of time to come in the future; Plaintiff, **DIAHANN HERNANDEZ**, incurred large sums of expenses for medical care, aid, and attention; Plaintiff, **DIAHANN HERNANDEZ**, was further caused to become incapacitated from and hindered in the progress of her usual pursuits, duties, and activities and may continue to be hindered in her pursuits, duties and activities for a long period of time to come in the future.

29. That as a result of the foregoing, Plaintiff, **DIAHANN HERNANDEZ**, has been damaged in an amount which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

**WHEREFORE**, Plaintiff, **DIAHANN HERNANDEZ**, demands judgment against the Defendant, **TARGET CORPORATION**; together with the costs and disbursements of this action.

Dated: Melville, New York  
January 24, 2022

Yours, etc.,



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BY: **JONATHAN J. SARDELLI ESQ.**  
**BRAGOLI & ASSOCIATES, P.C.**  
Attorneys for Plaintiff  
**DIAHANN HERNANDEZ**  
300 Broadhollow Road, Suite 100W  
Melville, New York 11747

### ATTORNEY'S VERIFICATION

The undersigned, an attorney duly admitted and licensed to practice in the Courts of the State of New York, hereby affirms the following to be true under the penalties of perjury:

I am the attorney for the Plaintiff in the within action; that the undersigned has read the Foregoing **SUMMONS AND VERIFIED COMPLAINT** and knows the contents thereof; that the same is true to affirmant's own knowledge, except as to those matters alleged to be true upon Information and belief, and as to those affirmant believe them to be true.

The undersigned further states that the reason this verification is made by the undersigned and not by Plaintiff is that the Plaintiff does not reside within the County where affirmant maintains an office.

The grounds of affirmant's belief as to all matters not stated to be upon affirmant's knowledge, are documents, correspondences, and records maintained in affirmant's files and conversations had with the Plaintiff.

The undersigned affirms that the foregoing statements are true, under the penalty of Perjury.

Dated: Melville, New York  
January 24, 2022

  
\_\_\_\_\_  
JONATHAN J. SARDELLI, ESQ.



SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

DIAHANN HERNANDEZ,

Plaintiff,

-against-

TARGET CORPORATION,

Defendant.

**SUMMONS and VERIFIED COMPLAINT**

*BRAGOLI & ASSOCIATES, P.C.*  
*Attorneys for the Plaintiff*  
*DIAHANN HERNANDEZ*  
*300 Broadhollow Road, Suite 100W*  
*Melville, Suffolk 11747*  
*(631) 423-7755*

To:>  
Attorney(s) for>

Service of a copy of the within is hereby admitted.

Dated, \_\_\_\_\_  
Attorney(s) for

Sir: - Please take notice

that the within is a true copy of a \_\_\_\_\_ duly entered in the office of the clerk of the within named  
court on \_\_\_\_\_

, 2022

Dated:

Yours, etc.

Attorney signature pursuant to Sec. 130-1.1-a of the  
Rules of the Chief Administrator (22NYCRR)

BY: JONATHAN J. SARDELLI, ESQ.  
*BRAGOLI & ASSOCIATES, P.C.*  
*Attorneys for the Plaintiff*  
*DIAHANN HERNANDEZ*  
*300 Broadhollow Road, Suite 100W*  
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